

### REMARKS

The present amendment is submitted in response to the Office Action dated November 20, 2002, which set a three-month period for response, making this amendment due by February 20, 2003.

Claims 8-14 are pending in this application.

In the Office Action, claims 8, 10, 11, 12, and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by DE 19753930 to Bindig. Claim 14 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Bindig in view of EP 165407 to Sato.

The Applicant acknowledges with appreciation the indicated allowability of claim 9, if rewritten in independent form to include the limitations of the base claim and any intervening claims.

In order to more clearly distinguish the present invention over the cited references, the Applicant has canceled claim 8 and added new, independent claim 15. Claims 9-14 have been amended to depend from new claim 15.

New claim 15 more clearly defines that always pairs of electrodes are provided, which are contacted with one another by means of the outer contacts 10. In each of these pairs, one electrode ends within the piezoelectric layer and another extends out to the edge of this layer.

In this manner, the neutral zones, as provided in the cited references, for example, are reduced by half. As shown in Figures 1 and 2a of the Bindig reference, each of the electrodes terminates at its end within the piezoelectric ply. The region of the respective piezoelectric ply that is not contacted by the


electrodes therefore represent the above-noted neutral zones, which, when acted upon by voltage, is not active. These zones reduce the energy or capacity of the actor considerably. In addition, the danger exists that in these regions, increased voltages occur, compared with other regions, which actively expand or contract in the longitudinal direction.

The Applicant therefore respectfully submits that new claim 15 defines more clearly a patentably distinct set of features neither shown nor suggested by the cited references. The Applicant further requests withdrawal of the rejections under 35 U.S.C. 102 and 103 and reconsideration of the claims as herein amended.

In light of the foregoing arguments in support of patentability, the Applicant respectfully submits that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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